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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
1011 SHAW MORTGAGE CORPORATION, dba) Civil No.08cv0709 BTM (AJB)
12 PATIOSOURCE AND THE NATURAL)
13 TOUCH, a California Corporation,)
14 Plaintiff,) ORDER FOLLOWING CASE
15) MANAGEMENT CONFERENCE
16 v.)
17 PEERLESS INSURANCE COMPANY, a)
18 New Hampshire Company; GOLDEN)
19 EAGLE INSURANCE CORPORATION, a)
20 California Corporation; LIBERTY MUTUAL)
21 INSURANCE COMPANY, a Massachusetts)
22 Company,)
23 Defendants.)
2425 On July 21, 2008, the Court convened a Case Management Conference in the above entitled
26 action. Appearing were Vincent Bartolotta, Esq. on behalf of plaintiff and Dale Amato, Esq. on behalf
27 of defendant.28 The Court and counsel discussed the status of the case in light of the dismissal of Golden Eagle
29 and Liberty Mutual Insurance Companies. It appears that a single legal issue exists which could hold
08cv0709
1 the key to an early disposition. Counsel would like to proceed with cross motions for summary
2 judgment on the issue and depending on the outcome can better judge if settlement or further litigation
3 would be the best course.4 Counsel intend to file the cross motions by September 12, 2008 and the Court sets a **November**
5 **20, 2008, 9:00 a.m.** Case Management Conference to set further dates and proceedings as appropriate.

1 Counsel are not required to proceed with the 26(f) conference or initial disclosures at this point.
2 Counsel may, by mutual agreement, engage in discovery necessary to address the issues of the motions
3 set to be filed.

4 Counsel are also invited to contact the Court if a pre-motion settlement conference appears to be
5 a fruitful exercise.

6 IT IS SO ORDERED.

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8 DATED: July 24, 2008


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10 Hon. Anthony J. Battaglia
11 U.S. Magistrate Judge
12 United States District Court
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